

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

FILED

NOV 23 2017

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PEDRO MARTINE ROBLEDO,

Defendant.

CR-13-109-GF-BMM

Clerk, U.S. District Court
District Of Montana
Great Falls

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 13, 2017. (Doc. 59.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 8, 2017. (Doc. 53.) The United States accused Defendant Pedro Martine Robledo ("Robledo") of violating his conditions of supervised release by 1) admitting to smoking methamphetamine on August 2, 2017, 2) providing a urinalysis positive for methamphetamine on August 6, 2017, 3) admitting to smoking methamphetamine

and marijuana, and drinking a half-liter of whiskey on October 21, 2017, and 4) being charged with Misdemeanor Possession of Drug Paraphernalia. (Doc. 59 at 1.) Robledo admitted to the violations. *Id.* The violations prove serious and warrant revocation of Robledo's supervised release.

Judge Johnston has recommended that the Court revoke Robledo's supervised release and commit Robledo to the custody of the Bureau of Prisons for three months. (Doc. 59 at 5.) Judge Johnston further has recommended that 33 months of supervised release follow his custody period. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Robledo's violations represent a serious breach of the Court's trust. A sentence custody of three months, followed by 33 months supervised release, is sufficient, but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 59) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Pedro Martine Robledo is sentenced to custody for three months, followed by 33 months supervised release.

DATED this 29th day of November, 2017.

A handwritten signature in cursive script, reading "Brian Morris".

Brian Morris
United States District Court Judge